

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

FRANK GLASKER INGRAM,

Civil No. 07-180-PK

Plaintiff,

ORDER

v.

CITY OF PORTLAND, MAYOR TOM  
POTTER, CITY OF PORTLAND,  
PORTLAND POLICE BUREAU AND  
ROSIE SIZER, CHIEF, OFFICERS JOSEPH  
A. LUIZ #23994 AND J. LAIN #33563,

Defendants.

---

HAGGERTY, Chief Judge:

Magistrate Judge Papak issued a Findings and Recommendation [48] in this action,  
recommending that plaintiff's Motion to Set Aside Order of Dismissal [38] should be denied and

defendant City of Portland's ("defendant") Motion to Enforce Settlement Agreement [44] should be GRANTED. On November 16, 2007, the matter was referred to this court. When a party objects to any portion of a Findings and Recommendation, the district court must conduct a *de novo* review of that Findings and Recommendation. 28 U.S.C. § 636(b)(1)(B); *McDonnell Douglas Corp. v. Commodore Bus. Mach. Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

The Findings and Recommendation provided a thorough analysis of the facts. This factual analysis is not objected to by petitioner, and need not be repeated here.

Plaintiff objects to the Findings and Recommendation on the grounds that his Motion for Default Judgment was pending at the time of settlement. While the motion was pending, the parties engaged in a settlement conference that resulted in a settlement of plaintiff's claims for \$7,500.00. The parties placed their agreement on the record, as explained in detail in the Findings and Recommendation. The record indicates that plaintiff agreed that all of his claims against all defendants would be dismissed with prejudice, in exchange for payment of \$7,500.00 by defendant City of Portland. Plaintiff does not challenge the material facts set forth in the Findings and Recommendation, nor does plaintiff contend that the wrong legal standards were applied to his claims. Instead, plaintiff rehashes arguments made in his Motion to Set Aside Order of Dismissal. These arguments were comprehensively addressed and resolved by the Findings and Recommendation.

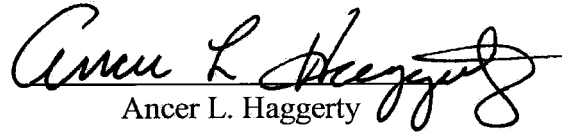
The court has given the file of this case a *de novo* review, and has also carefully evaluated the Findings and Recommendation, the objections, and the entire Record. The Judge's reasoning and recommendations are sound, correct, and entitled to adoption.

**CONCLUSION**

This court adopts the Findings and Recommendation [48]. Accordingly, plaintiff's Motion to Set Aside Order of Dismissal [38] is DENIED and defendant's Motion to Enforce Settlement Agreement [44] is GRANTED.

IT IS SO ORDERED.

Dated this 21 day of November, 2007.

  
Ancer L. Haggerty  
United States District Judge